

**MINUTES**  
**ELKHART COUNTY PLAT COMMITTEE MEETING**  
**HELD ON THE 12<sup>th</sup> DAY OF APRIL 2012 AT 8:30 A.M.**  
**MEETING ROOM – DEPARTMENT OF PUBLIC SERVICES BUILDING**  
**4230 ELKHART ROAD, GOSHEN, INDIANA**

1. The regular meeting of the Elkhart County Plat Committee was called to order by the Chairperson, Tony Campanello, with the following members present: Jeff Burbrink, Roger Miller, and Doug Miller. Staff members present were: Chris Godlewski, Plan Director; Mark Kanney, Planner; Duane Burrow, Planner; and James W. Kolbus, Attorney for the Board.

2. A motion was made and seconded (*R.Miller/Burbrink*) that the minutes of the last regular meeting of the Elkhart County Plat Committee held on the 8<sup>th</sup> day of March 2012 be approved as submitted. The motion was carried with a unanimous vote.

3. A motion was made and seconded (*D.Miller/Burbrink*) that the Elkhart County Zoning Ordinance and Elkhart County Subdivision Control Ordinance be accepted as evidence for today's hearing and the motion was carried unanimously.

4. The application for Primary approval of a three lot minor subdivision to be known as **STARK'S HIDDEN MEADOW**, for David L. & Wilma Stark (owners) and Pheasant Ridge Development (developer) represented by B. Doriot & Associates, Inc., on property located on the North side of CR 20, 1,988 ft. West of CR 23 in Jefferson Township, zoned A-1, was presented at this time.

Mark Kanney presented the Staff Report/Staff Analysis, which is attached for review as *Case #CR 20-120305-1*.

Mr. Kanney pointed out the property on the site plan and explained that they wanted to split it into three lots. He mentioned the flood plain at the back of the property, but soil borings indicate higher ground to the front where septics would have to go.

Charles Buzzard, Blake Doriot & Associates, P.O. Box 465, New Paris, representing the petition agreed with all of the comments made by the Staff and added that the septic system location will be updated and the SWPPP will be filed before they resubmit the plat.

Mr. Burbrink said this location was near the property where there were some drainage issues coming down through other subdivisions and asked if this land was contributing to that flow of water. Mr. Kanney said they provided an outlet to Pine Creek. He pointed out that the site plan shows there is an easement off of lot 1 to the south and it is critical to the development and the drainage patterns.

Doug Miller asked if the residences would need to be walkout basements with septics in the front yard. Mr. Kanney clarified that they could be built outside the flood plain, but they would not want to bring the 100 year flood plain into the basement.

The Board examined said request and after due consideration and deliberation, a motion was made and seconded (*Burbrink/Campanello*) to accept the Staff Analysis and recommend Primary approval of this three lot minor subdivision with the following conditions imposed:

1. A SWPPP must be submitted and approved prior to Secondary approval if more than 1 acre (total) will be disturbed.
2. Submit lot(s) layout for home, well, and septic systems to Health Department for approval. Proposed improvements must be kept outside of flood plain and drainage easements.

The motion was then approved unanimously.

5. The application for Primary approval of a two lot minor subdivision to be known as **ANDERSON-SOALES MINOR**, for Donald L. & Carol Soales (landowners/sellers) and Clint & Adrian Anderson (buyers) represented by B. Doriot & Associates, Inc., on property located on the South side of CR 108, 2,800 ft. East of CR 101 and East end of Jesse Street, 200 ft. East of Thrash Lane, 550 ft. South of CR 108 in Cleveland Township, zoned R-1, was presented at this time.

Mark Kanney presented the Staff Report/Staff Analysis, which is attached for review as *Case #0CR 108-120305-1*.

Mr. Kanney said they, basically, wanted to make two lots out of the long, narrow strip of land on the east side of Sweet Memories Subdivision. He said the southern lot has access via dedicated right-of-way from Jessie Street; however, Jessie Street was never built. Several years ago the developer did not mind giving up the right-of-way for Jessie Street, but asked not to have to build it since it was not going anywhere at the time. The Highway Department insisted they build it, however, no action either way was taken. Mr. Kanney stated a big development is not going in next door, except for one house. Since there will be access just for one, the Highway Department is going to let them put in a driveway with the understanding that the Highway Department will not maintain it. Lot 1 has access up on CR 108.

Charles Buzzard, Blake Doriot & Associates, P.O. Box 465, New Paris, was present and offered no additional comments at this time.

The Board examined said request and after due consideration and deliberation, a motion was made and seconded (*Burbrink/D.Miller*) that the Plat Committee grant Primary approval of this two lot minor subdivision in accordance with the Staff Analysis with the following conditions imposed:

1. Submit lot(s) layout for home, well, and septic systems to Health Department for approval.
2. A SWPPP must be submitted and approved, if more than 1 acre will be disturbed, prior to Secondary approval.

The motion was carried with a unanimous vote.

6. The application for Primary approval of a one lot minor subdivision to be known as **NUSBAUM MINOR SUBDIVISION**, for Dean A. Nusbaum represented by Brads-Ko Engineering & Surveying, Inc., on property located on the East side of CR 1, 2,000 ft. North of CR 38 in Olive Township, zoned A-1, was presented at this time.

Duane Burrow presented the Staff Report/Staff Analysis, which is attached for review as *Case #64590CR 1-120305-1*.

Barry Pharis, Brads-Ko Engineering & Surveying, 1009 S. 9<sup>th</sup> St., Goshen, represents Dean Nusbaum, the owner. He said the property is about 65 acres with 60 plus acres being farmed. He said the farm buildings are being carved out to be sold. None of the family members will live on site and it is being used as a rental. Mr. Pharis said the family members would like to sell the parcel to an interested party. They have no issues with the Staff Report and would like approval.

The Board examined said request and after due consideration and deliberation, a motion was made and seconded (*Burbrink/R.Miller*) that after review by Staff and the Elkhart County Technical Committee, the Plat Committee grant Primary approval of this one lot minor subdivision. The motion was carried unanimously.

7. The application for Secondary approval of a one lot minor subdivision known as ***ALMA'S ADDITION TO LOCKE***, for Marvin E. and Alma L. Bontrager represented by B. Doriot & Associates, Inc., on property located on the North side of CR 50, 375 ft. East of CR 3 in Locke Township, zoned A-1, was presented at this time.

Mark Kanney presented the Staff Report/Staff Analysis, which is attached for review as *Case #28871CR 50-120312-1*. He then reported that this subdivision does meet the requirements of the Subdivision Control Ordinance and conditions of Primary approval.

The Board examined said request and after due consideration and deliberation, a motion was made and seconded (*D.Miller/R.Miller*) that the Plat Committee finds this subdivision meets the requirements of the Subdivision Control Ordinance and conditions of Primary approval, and therefore grants Secondary approval of this one lot minor subdivision. The motion was unanimously carried.

8. The meeting was adjourned at 8:46 a.m.

Respectfully submitted,

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Sandra Herrli  
Recording Secretary